

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CITIGROUP INC.,	:	
	:	
Petitioner,	:	
	:	21 Civ. 10413 (JPC)
-v-	:	
	:	<u>ORDER</u>
LUIS SEBASTIAN SAYEG SEADE,	:	
	:	
Respondent.	:	
	:	
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JOHN P. CRONAN, United States District Judge:

On February 28, 2022, this Court held Respondent Luis Sebastian Sayeg Saede in contempt and imposed escalating monetary sanctions to continue until no later than April 2, 2022, for violating the Preliminary Injunction that the Court had issued. Dkt. 47 (“Contempt Order”); *see* Dkt. 34 (Preliminary Injunction). On April 1, 2022, Petitioner Citigroup Inc. filed a letter claiming that Mr. Sayeg has refused to comply with the Contempt Order and Preliminary Injunction. *See* Dkt. 52. In that letter, Citigroup asks the Court to “enter an order increasing the coercive fine to \$20,000 a day (\$5,000 more than the maximum fine assessed to date) and escalating the coercive fine by \$5,000 per day (the same increase in the daily fine previously ordered) after every 30 days of noncompliance with the Orders, or grant Citigroup leave to so move.” *Id.* at 2.


By April 11, 2022, Citigroup shall move for an order holding Mr. Sayeg in contempt for violating this Court’s orders. Given that the Court has already imposed \$300,000 in contempt-related fines on Mr. Sayeg, *see* Contempt Order at 6, yet Mr. Sayeg still has apparently failed to comply with the Preliminary Injunction, the motion should detail how continuing to fine Mr. Sayeg, including by increasing the Contempt Order’s daily fine amount, would coerce Mr. Sayeg

to comply with this Court's orders or remedy any harm caused by his noncompliance. *See Paramedics Electromedicina Comercial, Ltda v. GE Med. Sys. Info. Techs., Inc.*, 369 F.3d 645, 657 (2d Cir. 2004) ("The imposition of civil contempt sanctions may serve dual purposes: to secure future compliance with court orders and to compensate the party that has been wronged. Such sanctions may not be imposed as a purely punitive measure." (citations omitted)); *Soobzokov v. CBS, Inc.*, 642 F.2d 28, 31 (2d Cir. 1981) ("When it becomes obvious that sanctions are not going to compel compliance, they lose their remedial characteristics and take on more of the nature of punishment."). Mr. Sayeg shall file any opposition to Citigroup's motion by April 18, 2022, and any reply is due by April 20, 2022.

Citigroup shall immediately serve a copy of this Order on Mr. Sayeg, with proof of service filed on the docket no later than April 5, 2022.

SO ORDERED.

Dated: April 4, 2022  
New York, New York

  
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JOHN P. CRONAN  
United States District Judge